

By

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5

J.R. No.

33

A JOINT RESOLUTION

proposing a constitutional amendment relating to the dedication of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article I of the Texas Constitution is amended by adding Section 31 to read as follows:

Sec. 31. (a) The compensation to victims of crime fund and the compensation to victims of crime auxiliary fund created at Chapter 56, Code of Criminal Procedure, is a dedicated fund in the state treasury.

(b) Subject to legislative appropriation and except as provided by Subsection (c) of this section, monies deposited to the credit of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund, from whatever source, may be expended only for the purposes of compensating victims of crime and for providing services to victims of crime, as provided by law.

(c) In the event of an episode of mass violence, the Legislative Budget Board is authorized to expend monies deposited to the credit of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund for purposes of assisting such victims, but only if monies appropriated for purposes of providing emergency assistance, as authorized under other state law, are depleted.

SECTION 2. EFFECTIVE DATE. This Amendment takes effect on January 1, 1998.

1 SECTION 3. This proposed constitutional amendment shall
2 be submitted to the voters at an election to be held November
3 4, 1997. The ballot shall be printed to permit voting for or
4 against the proposition: "The constitutional amendment
5 dedicating the compensation to victims of crime fund and the
6 compensation to victims of crime auxiliary fund."

1-1 By: Moncrief S.J.R. No. 33
1-2 (In the Senate - Filed March 7, 1997; March 12, 1997, read
1-3 first time and referred to Committee on Finance; April 9, 1997,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 13, Nays 0; April 9, 1997, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.J.R. No. 33 By: Moncrief

1-7 SENATE JOINT RESOLUTION

1-8 proposing a constitutional amendment relating to the dedication of
1-9 the compensation to victims of crime fund and the compensation to
1-10 victims of crime auxiliary fund.

1-11 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Article I, Texas Constitution, is amended by
1-13 adding Section 31 to read as follows:

1-14 Sec. 31. (a) The compensation to victims of crime fund and
1-15 the compensation to victims of crime auxiliary fund created by
1-16 Chapter 56, Code of Criminal Procedure, are each a separate
1-17 dedicated account in the general revenue fund.

1-18 (b) Subject to legislative appropriation, money deposited to
1-19 the credit of the compensation to victims of crime fund or the
1-20 compensation to victims of crime auxiliary fund from any source may
1-21 be expended only for the purposes of compensating victims of crime
1-22 or of adjudicated juvenile misconduct and for providing services to
1-23 those victims, as provided by law.

1-24 SECTION 2. The following temporary provision is added to the
1-25 Texas Constitution:

1-26 TEMPORARY PROVISION. (a) This temporary provision applies
1-27 to the constitutional amendment proposed by S.J.R. No. 33, 75th
1-28 Legislature, Regular Session, 1997, and expires January 1, 1998.

1-29 (b) The amendment to Article I of this constitution takes
1-30 effect January 1, 1998.

1-31 SECTION 3. This proposed constitutional amendment shall be
1-32 submitted to the voters at an election to be held November 4, 1997.
1-33 The ballot shall be printed to permit voting for or against the
1-34 proposition: "The constitutional amendment dedicating the
1-35 compensation to victims of crime fund and the compensation to
1-36 victims of crime auxiliary fund."

1-37 * * * * *

**FAVORABLY AS SUBSTITUTED
SENATE COMMITTEE REPORT ON**

SB SCR SJR SR HB HCR HJR 33
By Moncrief
(Author/Senate Sponsor)
4-9-97
(date)

Sir:

We, your Committee on FINANCE, to which was referred the attached measure, have on April 7, 1997, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed
 - ☒ the caption remained the same as original measure
 - ☒ the caption changed with adoption of the substitute
- ☐ do pass as substituted, and be ordered not printed
- ☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no
 A revised fiscal note was requested. ☒ yes ☐ no
 An actuarial analysis was requested. ☐ yes ☒ no
 Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Ratliff, Chair	<input checked="" type="checkbox"/>			
Senator Truan, Vice-Chair	<input checked="" type="checkbox"/>			
Senator Armbrister	<input checked="" type="checkbox"/>			
Senator Barrientos	<input checked="" type="checkbox"/>			
Senator Bivins	<input checked="" type="checkbox"/>			
Senator Brown	<input checked="" type="checkbox"/>			
Senator Lucio	<input checked="" type="checkbox"/>			
Senator Moncrief	<input checked="" type="checkbox"/>			
Senator Nelson	<input checked="" type="checkbox"/>			
Senator Sibley	<input checked="" type="checkbox"/>			
Senator Wentworth	<input checked="" type="checkbox"/>			
Senator West	<input checked="" type="checkbox"/>			
Senator Zaffirini	<input checked="" type="checkbox"/>			
TOTAL VOTES	13	2	2	2

COMMITTEE ACTION

S260 Considered in public hearing
 S270 Testimony taken

Patricia Hicks
COMMITTEE CLERK

Bill Ratliff
CHAIR

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute
 Retain one copy of this form for Committee files

BILL ANALYSIS

Senate Research Center

C.S.S.J.R. 33

By: Moncrief

Finance

4-8-97

Committee Report (Substituted)

DIGEST

In 1979, the legislature passed the Texas Crime Victims' Compensation Act. This Act created the Compensation to Victims of Crime Fund and established statutory eligibility guidelines for the provision of certain benefits for crime victims. Money for the fund is generated through criminal court costs.

Currently, proceeds from the fund are used to assist victims with various expenses that may result from a crime including medical, counseling, and funeral expenses. C.S.S.J.R. 33 provides for a constitutional dedication of the fund and the Compensation of Victims of Crime Auxiliary Fund. Furthermore, this resolution provides that proceeds from those funds may be expended for the purposes of compensating victims of crime or of adjudicated juvenile misconduct and for providing services to those victims, as provided by law.

PURPOSE

As proposed, C.S.S.J.R. 33 establishes a constitutional dedication of the Compensation to Victims of Crime Fund and the Compensation to Victims of Crime Auxiliary Fund and provides that proceeds from those funds may only be expended for certain purposes.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article I of the Texas Constitution by adding Section 31, as follows:

Sec. 31. (a) Provides that the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund created by Chapter 56, Code of Criminal Procedure, are each a separate dedicated account in the general revenue fund.

(b) Authorizes money deposited to the credit of the compensation to victims of crime fund or the compensation to victims of crime auxiliary fund, from any source, subject to legislative appropriation, to be expended only for the purposes of compensating victims of crime or of adjudicated juvenile misconduct and for providing services those victims, as provided by law.

SECTION 2. Adds the following temporary provision to the Texas Constitution:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by S.J.R. 33, 75th Legislature, Regular Session, 1997, and expires January 1, 1998.

(b) Effective date: January 1, 1998.

SECTION 3. Requires the proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 1997. Sets forth guidelines and required language for the ballot.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Article I, Texas Constitution, by amending proposed Section 31, to provide that the funds are each a separate dedicated account in the general revenue fund. Authorizes money deposited to the credit of the funds to be expended for the purpose of compensating victims of adjudicated juvenile misconduct. Makes nonsubstantive changes.

SECTION 2.

Amends proposed SECTION 2 to provide that this temporary provision applies to the constitutional amendment proposed by S.J.R. 33, 75th Legislature, Regular Session, 1997, and expires January 1, 1998. Provides that the amendment to Article I of this constitution takes effect January 1, 1998, rather than this amendment takes effect on January 1, 1998. Makes conforming changes.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

April 9, 1997

To: Honorable Bill Ratliff, Chair
Committee on Finance
Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 33, Committee Report 1st
House, Substituted
By: Moncrief

From: John Keel, Director

In response to your request for a Fiscal Note on SJR33 (proposing a constitutional amendment relating to the dedication of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund) this office has determined the following:

**Biennial Net Impact to General Revenue Funds by SJR33-Committee Report 1st House,
Substituted**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

FISCAL ANALYSIS

The resolution would propose a constitutional amendment to make the Compensation to Victims of Crime GR-Account 0469 and the Compensation to Victims of Crime Auxiliary GR-Account 0494 dedicated accounts in the General Revenue Fund 0001. Currently, they are statutorily dedicated accounts in the General Revenue Fund 0001.

Monies deposited to the credit of these accounts, from whatever source and subject to Legislative appropriation, could be expended only for the purpose of compensating victims of crime or victims of adjudicated juvenile misconduct and for providing services to those victims, as provided in Chapter 56 of the Code of Criminal Procedure.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 4, 1997. Upon passage, the proposed constitutional amendment would take effect January 1, 1998.

LOCAL

No fiscal implication to units of local government is anticipated.

Source: Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, RR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

March 20, 1997

To: Honorable Bill Ratliff, Chair
Committee on Finance
Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 33
By: Moncrief

From: John Keel, Director

In response to your request for a Fiscal Note on SJR33 (Proposing a constitutional amendment relating to the dedication of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund.) this office has determined the following:

Biennial Net Impact to General Revenue Funds by SJR33-As Introduced

Implementing the provisions of the bill would result in a net negative impact of \$(182,913,000) to General Revenue Related Funds through the biennium ending August 31, 1999.

Fiscal Analysis

The resolution would propose a constitutional amendment to make the Compensation to Victims of Crime GR-Account 0469 and the Compensation to Victims of Crime Auxiliary GR-Account 0494 dedicated funds in the State Treasury. Currently, they are dedicated accounts in the General Revenue Fund 0001.

Monies deposited to the credit of these funds, from whatever source and subject to Legislative appropriation, could be expended only for the purpose of compensating victims of crime and for providing services to victims of crime, as provided in Chapter 56 of the Code of Criminal Procedures.

One exception to the proposed dedication would be provided by the proposed amendment. In the event of an episode of mass violence, the Legislative Budget Board would be authorized to expend monies in either of the two funds for the purpose of assisting victims of that event. Monies could be spent out of the two funds only after monies appropriated for providing assistance, as authorized under other state law, were depleted.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 4, 1997. Upon passage, the proposed constitutional amendment would take effect January 1, 1998.

Methodology

By creating new constitutionally dedicated funds, there would be a loss to the General Revenue Fund because the two dedicated accounts would no longer be in the General Revenue Fund. The first-year loss for each account is based on the estimated fiscal 1997 ending balance plus the amount by which estimated revenues would exceed estimated expenditures in fiscal 1998. For each year thereafter, the losses are based

on the difference between estimated revenues and expenditures. The estimates of expenditures for 1998 and 1999 are based on the proposed 1998-99 General Appropriations Act, as filed. The fiscal impact after fiscal 1999 assumes that all revenue to the accounts would be appropriated.

The probable fiscal implications of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

Five Year Impact:

Fiscal Year	Probable Certification Gain/(Loss) from General Revenue Fund	Probable Revenue Gain/(Loss) from Compensation to Victims of Crime Account/ GR-Dedicated	Probable Revenue Gain/(Loss) from Compensation to Victims of Crime Auxiliary Account/ GR-Dedicated	Probable Revenue Gain/(Loss) from New - Compensation to Victims of Crime and Auxiliary Fund
	0001	0469	0494	
1998	(\$156,747,000)	(\$154,134,000)	(\$2,613,000)	\$156,747,000
1999	(26,095,000)	(25,444,000)	(651,000)	26,095,000
2000	0	0		
2001	0	0		
2002	0	0		

The following is the cost to the State for publication of the resolution.

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 0001
1998	(\$71,000)
1999	0
2000	0
2001	0
2002	0

Net Impact on General Revenue Related Funds:

The probable fiscal implication to General Revenue related funds during each of the first five years is estimated as follows:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
1998	(\$156,818,000)
1999	(26,095,000)
2000	0
2001	0
2002	0

The fiscal impact on local government would be the normal cost of conducting local elections but no other fiscal implications to local governments are anticipated.

Source: Agencies: 302 Office of the Attorney General
304 Comptroller of Public Accounts

LBB Staff: JK, RR, JC

WITNESS LIST

SJR 33
SENATE COMMITTEE REPORT
Finance Committee

April 7, 1997 - 9:30A

Registering, but not testifying:

For: Cole, Pat (TCFV), Austin

Speece, Ray (Self), Houston

Torres, Vincent (Self), Austin

On: Kelly, Laurel E. (Comptroller's Office), Austin

ADOPTED

APR 17 1997

Atty. Ling
Secretary of the Senate

By: *Moncrief*

S.J.R. No. 33

Substitute the following for S.J.R. No. 33:

By: *Moncrief*

C.S. S.J.R. No. 33

A JOINT RESOLUTION

proposing a constitutional amendment relating to the dedication of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article I, Texas Constitution, is amended by adding Section 31 to read as follows:

Sec. 31. (a) The compensation to victims of crime fund and the compensation to victims of crime auxiliary fund created by Chapter 56, Code of Criminal Procedure, are each a separate dedicated account in the general revenue fund.

Amended Floor Apr. 17
(b) Subject to legislative appropriation, money deposited to the credit of the compensation to victims of crime fund or the compensation to victims of crime auxiliary fund from any source may be expended only for the purposes of compensating victims of crime or of adjudicated juvenile misconduct and for providing services to those victims, as provided by law.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by S.J.R. No. 33, 75th Legislature, Regular Session, 1997, and expires January 1, 1998.

(b) The amendment to Article I of this constitution takes effect January 1, 1998.

SECTION 3. This proposed constitutional amendment shall be

*replaced by
conference
report*

*4-9-97
4-17-97/WIF*

1 submitted to the voters at an election to be held November 4, 1997.
2 The ballot shall be printed to permit voting for or against the
3 proposition: "The constitutional amendment dedicating the
4 compensation to victims of crime fund and the compensation to
5 victims of crime auxiliary fund."

ADOPTED

APR 17 1997

Atty. Ling
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY *Shenoy*

1 Amend C.S.S.J.R. 33 in Section 1 of the resolution by
2 striking proposed Section 31(b), Article I, Texas Constitution
3 (Committee Printing page 1, lines 18-23), and substituting the
4 following:

5 (b) Subject to legislative appropriation, money deposited to
6 the credit of the compensation to victims of crime fund or the
7 compensation to victims of crime auxiliary fund from any source may
8 be expended as provided by law only for:

9 (1) compensation and costs related to compensation of
10 victims of criminal conduct; and

11 (2) providing services to those victims.

*Floor Amendment
4-17-97
over
6*

AMEND THE CAPTION TO CONFORM
TO THE BODY OF THE BILL

ADOPTED

APR 17 1997

Letty Ling
Secretary of the Senate

Due 17 19 97 Engrossed
Daisy Daw
Engrossing Clerk

By: Moncrief

S.J.R. No. 33

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment relating to the dedication of
2 the compensation to victims of crime fund and the compensation to
3 victims of crime auxiliary fund.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article I, Texas Constitution, is amended by
6 adding Section 31 to read as follows:

7 Sec. 31. (a) The compensation to victims of crime fund and
8 the compensation to victims of crime auxiliary fund created by
9 Chapter 56, Code of Criminal Procedure, are each a separate
10 dedicated account in the general revenue fund.

11 (b) Subject to legislative appropriation, money deposited to
12 the credit of the compensation to victims of crime fund or the
13 compensation to victims of crime auxiliary fund from any source may
14 be expended as provided by law only for:

15 (1) compensation and costs related to compensation of
16 victims of criminal conduct; and

17 (2) providing services to those victims.

18 SECTION 2. The following temporary provision is added to the
19 Texas Constitution:

20 TEMPORARY PROVISION. (a) This temporary provision applies
21 to the constitutional amendment proposed by S.J.R. No. 33, 75th
22 Legislature, Regular Session, 1997, and expires January 1, 1998.

23 (b) The amendment to Article I of this constitution takes
24 effect January 1, 1998.

1 SECTION 3. This proposed constitutional amendment shall be
2 submitted to the voters at an election to be held November 4, 1997.
3 The ballot shall be printed to permit voting for or against the
4 proposition: "The constitutional amendment dedicating the
5 compensation to victims of crime fund and the compensation to
6 victims of crime auxiliary fund."

on the difference between estimated revenues and expenditures. The estimates of expenditures for 1998 and 1999 are based on the proposed 1998-99 General Appropriations Act, as filed. The fiscal impact after fiscal 1999 assumes that all revenue to the accounts would be appropriated.

The probable fiscal implications of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

Five Year Impact:

Fiscal Year	Probable Certification Gain/(Loss) from General Revenue Fund	Probable Revenue Gain/(Loss) from Compensation to Victims of Crime Account/ GR-Dedicated	Probable Revenue Gain/(Loss) from Compensation to Victims of Crime Auxiliary Account/ GR-Dedicated	Probable Revenue Gain/(Loss) from New - Compensation to Victims of Crime and Auxiliary Fund
	0001	0469	0494	
1998	(\$156,747,000)	(\$154,134,000)	(\$2,613,000)	\$156,747,000
1999	(26,095,000)	(25,444,000)	(651,000)	26,095,000
2000	0	0		
2001	0	0		
2002	0	0		

The following is the cost to the State for publication of the resolution.

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
	0001
1998	(\$71,000)
1999	0
2000	0
2001	0
2002	0

Net Impact on General Revenue Related Funds:

The probable fiscal implication to General Revenue related funds during each of the first five years is estimated as follows:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
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1999	(26,095,000)
2000	0
2001	0
2002	0

The fiscal impact on local government would be the normal cost of conducting local elections but no other fiscal implications to local governments are anticipated.

Source: Agencies: 302 Office of the Attorney General
304 Comptroller of Public Accounts

LBB Staff: JK, RR, JC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

April 9, 1997

To: Honorable Bill Ratliff, Chair
Committee on Finance
Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 33, Committee Report 1st
House, Substituted
By: Moncrief

From: John Keel, Director

In response to your request for a Fiscal Note on SJR33 (proposing a constitutional amendment relating to the dedication of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund) this office has determined the following:

**Biennial Net Impact to General Revenue Funds by SJR33-Committee Report 1st House,
Substituted**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

FISCAL ANALYSIS

The resolution would propose a constitutional amendment to make the Compensation to Victims of Crime GR-Account 0469 and the Compensation to Victims of Crime Auxiliary GR-Account 0494 dedicated accounts in the General Revenue Fund 0001. Currently, they are statutorily dedicated accounts in the General Revenue Fund 0001.

Monies deposited to the credit of these accounts, from whatever source and subject to Legislative appropriation, could be expended only for the purpose of compensating victims of crime or victims of adjudicated juvenile misconduct and for providing services to those victims, as provided in Chapter 56 of the Code of Criminal Procedure.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 4, 1997. Upon passage, the proposed constitutional amendment would take effect January 1, 1998.

LOCAL

No fiscal implication to units of local government is anticipated.

Source: Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, RR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

March 20, 1997

To: Honorable Bill Ratliff, Chair
Committee on Finance
Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 33
By: Moncrief

From: John Keel, Director

In response to your request for a Fiscal Note on SJR33 (Proposing a constitutional amendment relating to the dedication of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund.) this office has determined the following:

Biennial Net Impact to General Revenue Funds by SJR33-As Introduced

Implementing the provisions of the bill would result in a net negative impact of \$(182,913,000) to General Revenue Related Funds through the biennium ending August 31, 1999.

Fiscal Analysis

The resolution would propose a constitutional amendment to make the Compensation to Victims of Crime GR-Account 0469 and the Compensation to Victims of Crime Auxiliary GR-Account 0494 dedicated funds in the State Treasury. Currently, they are dedicated accounts in the General Revenue Fund 0001.

Monies deposited to the credit of these funds, from whatever source and subject to Legislative appropriation, could be expended only for the purpose of compensating victims of crime and for providing services to victims of crime, as provided in Chapter 56 of the Code of Criminal Procedures.

One exception to the proposed dedication would be provided by the proposed amendment. In the event of an episode of mass violence, the Legislative Budget Board would be authorized to expend monies in either of the two funds for the purpose of assisting victims of that event. Monies could be spent out of the two funds only after monies appropriated for providing assistance, as authorized under other state law, were depleted.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 4, 1997. Upon passage, the proposed constitutional amendment would take effect January 1, 1998.

Methodology

By creating new constitutionally dedicated funds, there would be a loss to the General Revenue Fund because the two dedicated accounts would no longer be in the General Revenue Fund. The first-year loss for each account is based on the estimated fiscal 1997 ending balance plus the amount by which estimated revenues would exceed estimated expenditures in fiscal 1998. For each year thereafter, the losses are based

HOUSE COMMITTEE REPORT

1st Printing

By Moncrief
(Gallego)

S.J.R. No. 33

Substitute the following for S.J.R. No. 33:

By Gallego

C.S.S.J.R. No. 33

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the purposes for
2 which money in the compensation to victims of crime fund and the
3 compensation to victims of crime auxiliary fund may be used.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article I, Texas Constitution, is amended by
6 adding Section 31 to read as follows:

7 Sec. 31. (a) The compensation to victims of crime fund
8 created by general law and the compensation to victims of crime
9 auxiliary fund created by general law are each a separate dedicated
10 account in the general revenue fund.

11 (b) Except as provided by Subsection (c) of this section,
12 the legislature may appropriate money in the compensation to
13 victims of crime fund or in the compensation to victims of crime
14 auxiliary fund only for the purposes of compensating victims of
15 crime, providing services to victims of crime, and paying the
16 administrative costs of providing services to victims of crime.

17 (c) The legislature may provide by law that money in the
18 compensation to victims of crime fund or in the compensation to
19 victims of crime auxiliary fund may be expended for the purpose of
20 assisting victims of episodes of mass violence if other money
21 appropriated for emergency assistance is depleted.

22 (d) This section takes effect January 1, 1998. This
23 subsection expires January 2, 1998.

24 SECTION 2. This proposed constitutional amendment shall be

C.S.S.J.R. No. 33

1 submitted to the voters at an election to be held November 4, 1997.
2 The ballot shall be printed to permit voting for or against the
3 proposition: "The constitutional amendment designating the
4 purposes for which money in the compensation to victims of crime
5 fund and the compensation to victims of crime auxiliary fund may be
6 used."

COMMITTEE REPORT

The Honorable James E. "Pete" Laney
Speaker of the House of Representatives
Sir:

5-08-97
(date)

We, your COMMITTEE ON APPROPRIATIONS

to whom was referred SJR 33 have had the same under consideration and beg to report back with the recommendation that it

- () do pass, without amendment.
() do pass, with amendment(s).
(x) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
(x) yes () no A fiscal note was requested.
() yes (x) no A criminal justice policy impact statement was requested.
() yes (x) no An equalized educational funding impact statement was requested.
() yes (x) no An actuarial analysis was requested.
() yes (x) no A water development policy impact statement was requested.
() yes (x) no A tax equity note was requested.
() The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor Rep. Gallego

Joint Sponsors: _____ / _____ / _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Junell, Chair	X			
Delisi, Vice-chair	X			
Averitt	X			
Coleman	X			
Cuellar	X			
Davis				
Eiland				X
Finnell				X
Gallego	X			
Glaze	X			
Greenberg	X			
Haggerty	X			
Heflin	X			
Hernandez				
Hinojosa				X
Hochberg	X			X
Kubiak	X			
Moreno				X
Mowery				X
Pitts	X			
Price	X			
Raymond	X			
Swinford	X			
Tillery	X			
Turner, S.				X
Walker	X			
West	X			

Total 20

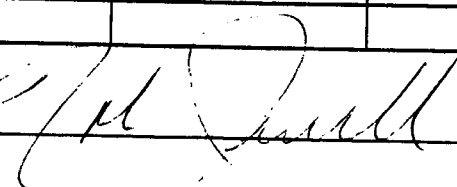
aye

0 nay

0 present, not voting

7 absent

CHAIR



BILL ANALYSIS

APPROPRIATIONS

C.S.S.J.R. 33

By: Moncrief (Gallego)

5-9-97

Committee Report (Substituted)

BACKGROUND

The Texas Crime Victims' Compensation Fund was created in 1979 to serve as a financial safety net for victims of crime. The primary purpose of the fund is to reimburse victims for any out of pocket expenses incurred as a result of crime. The money in the fund comes directly from convicted offenders in the form of court costs and other fees. Administration of the Fund is governed by the Subchapter B, Code of Criminal Procedure, the Crime Victim's Compensation Act.

PURPOSE

The purpose of this legislation is to propose a constitutional amendment permanently dedicating the monies in the fund to be used only for assisting victims of crime. A constitutional dedication of the fund would protect the monies from any attempts to statutorily remove the dedication temporarily or permanently in order to spend the monies for purposes not related to the Crime Victims' Compensation Act.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 1 of the Texas Constitution by adding Section 31.

Sec. 31 dedicates the compensation to Victims of Crime Fund and the Compensation to Victims of Crime Auxiliary Fund in the state treasury and mandates that these funds may only be expended for compensating victims of crime and providing services to victims of crime, as provided by law. In the event of an episode of mass violence, the Legislative Budget Board is authorized to spend money from these funds if all other sources of emergency assistance, as authorized under state law, are depleted first.

(d) Effective date: January 1, 1998

SECTION 2. Submission clause. The constitutional amendment will be submitted to voters on the November 4, 1997 elections.

COMPARISON OF ORIGINAL TO SUBSTITUTE

SECTION 1. (b) has revised language with no substantive change. The substitute adds a subsection (c) allowing money to be spent on victims of episodes of mass violence. The substitute revises SECTION 2. into subsection (d) and changes the expiration date from January 1, 1998 to January 2, 1998.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

May 9, 1997

To: Honorable Robert Junell, Chair
Committee on Appropriations
House
Austin, Texas

IN RE: Senate Joint Resolution
No. 33, Committee
Report 2nd House, Substituted
By: Moncrief

From: John Keel, Director

In response to your request for a Fiscal Note on SJR33 (proposing a constitutional amendment relating to the purposes for which money in the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund may be used) this office has determined the following:

Biennial Net Impact to General Revenue Funds by SJR33-Committee Report 2nd House, Substituted
--

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

FISCAL ANALYSIS

The resolution would propose a constitutional amendment to make the Compensation to Victims of Crime GR-Account 0469 and the Compensation to Victims of Crime Auxiliary GR-Account 0494 dedicated accounts in the General Revenue Fund 0001. Currently, they are statutorily dedicated accounts in the General Revenue Fund 001.

With one exception, the Legislature could appropriate money in the two accounts only for the purpose of compensating victims of crime, providing services to victims of crime, and paying the administrative costs of providing services to crime victims. The one exception would be that the Legislature could provide by law that money in either account could be expended for the purpose of assisting victims of mass violence, if other money appropriated for emergency assistance were depleted.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 4, 1997. Upon passage, the proposed constitutional amendment would take effect January 1, 1998.

No fiscal implication to units of local government is anticipated.

Source: Agencies:

LBB Staff: JK, RR

4

ADOPTED

MAY 12 1997

Sharon Carter
Chief Clerk
House of Representatives

By Moncrief

S.J.R. No. 33

Substitute the following for S.J.R. No. 33:

By Mallegre

C.S. S.J.R. No. 33

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the purposes for
2 which money in the compensation to victims of crime fund and the
3 compensation to victims of crime auxiliary fund may be used.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article I, Texas Constitution, is amended by
6 adding Section 31 to read as follows:

7 Sec. 31. (a) The compensation to victims of crime fund
8 created by general law and the compensation to victims of crime
9 auxiliary fund created by general law are each a separate dedicated
10 account in the general revenue fund.

11 (b) Except as provided by Subsection (c) of this section,
12 the legislature may appropriate money in the compensation to
13 victims of crime fund or in the compensation to victims of crime
14 auxiliary fund only for the purposes of compensating victims of
15 crime, providing services to victims of crime, and paying the
16 administrative costs of providing services to victims of crime.

17 (c) The legislature may provide by law that money in the
18 compensation to victims of crime fund or in the compensation to
19 victims of crime auxiliary fund may be expended for the purpose of
20 assisting victims of episodes of mass violence if other money
21 appropriated for emergency assistance is depleted.

22 (d) This section takes effect January 1, 1998. This
23 subsection expires January 2, 1998.

24 SECTION 2. This proposed constitutional amendment shall be

MAY 13 1997 Received 9:12 A.M.

1 submitted to the voters at an election to be held November 4, 1997.
2 The ballot shall be printed to permit voting for or against the
3 proposition: "The constitutional amendment designating the
4 purposes for which money in the compensation to victims of crime
5 fund and the compensation to victims of crime auxiliary fund may be
6 used."

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

Date

Honorable Bob Bullock
President of the Senate

ADOPTED

31-0
MAY 28 1997

Honorable James E. "Pete" Laney
Speaker of the House of Representatives

Litty Ling
Secretary of the Senate

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on _____ have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

[Signature]
Senator _____ - Chair

[Signature]
Rep. _____ - Chair

[Signature]
Senator _____

[Signature]
Rep. _____

[Signature]
Senator _____

[Signature]
Rep. _____

[Signature]
Senator _____

[Signature]
Rep. _____

[Signature]
On the part of the Senate

[Signature]
On the part of the House

Sentator _____

Rep. _____

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

MAY 26 1997 11:15 A.M.

CONFERENCE COMMITTEE REPORT

S.J.R. No. 33

SENATE
A JOINT RESOLUTION

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S.J.R. No. 33

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4 effect January 1, 1998.

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6 submitted to the voters at an election to be held November 4, 1997.
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8 proposition: "The constitutional amendment designating the
9 purposes for which money in the compensation to victims of crime
10 fund and the compensation to victims of crime auxiliary fund may be
11 used."

J.R.
S.B. No. 33

President of the Senate

I hereby certify that S.B. No. 33 ^{J.R.} ~~passed~~ ^{was adopted by} the Senate on April 17, 1997, by the following vote: Yeas 31, Nays 0; May 19, 1997, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 20, 1997, House granted request of the Senate; May 28, 1997, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 33 ^{J.R.} ~~passed~~ ^{was adopted by} the House, with amendments, on May 12, 1997, by the following vote: Yeas 139, Nays 0; May 20, 1997, House granted request of the Senate for appointment of Conference Committee; May 28, 1997, House adopted Conference Committee Report by the following vote: Yeas 131, Nays 0, one present not voting.

one present not voting

Chief Clerk of the House

Approved:

Date

Governor

Senate Joint Resolution 33
Conference Committee Report
Section-by-Section Analysis
May 21, 1997

SENATE ENGROSSMENT	HOUSE AMENDMENTS	CONFERENCE COMMITTEE REPORT
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<p>(b) Subject to legislative appropriation, allows money deposited to the credit of the compensation to victims of crime fund or the compensation to victims of crime auxiliary fund from any source to be expended as provided by law only for compensation and costs related to compensation of victims of criminal conduct and providing services to those victims.</p> <p>No Similar Provision.</p>	<p>(b) Except as provided by Subsection (c), allows the legislature to appropriate money in the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund only for the purposes of compensating victims of crime, providing services to victims of crime, and paying the administrative costs of providing services to victims of crime.</p> <p>(c) Allows the legislature to provide by law for the expenditure of funds in the compensation to victims of crime fund or the compensation to victims of crime auxiliary fund for the purpose of assisting victims of episodes of mass violence if other funding for emergency assistance is depleted.</p>	<p>(b) Subject to legislative appropriation, and except as provided by Subsection (c), allows money deposited to the credit of the compensation to victims of crime fund or the compensation to victims of crime auxiliary fund from any source to be expended as provided by law only for delivering or funding victim-related compensation, services, or assistance.</p> <p>Same as House Amendments.</p>
<p>SECTION 2. Temporary Provision. Provides for an effective date of January 1, 1998. This temporary provision expires January 1, 1998.</p>	<p>(d) Provides for an effective date of January 1, 1998. This subsection expires January 2, 1998.</p>	<p>Same as Senate Engrossment, except temporary provision expires January 2, 1998.</p>
<p>SECTION 3. Provides ballot language for a November 4, 1997 election.</p>	<p>SECTION 2. Same as Senate Engrossment, except that ballot language is slightly more specific.</p>	<p>Same as House Amendments.</p>

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

Honorable Bob Bullock
President of the Senate

Honorable James E. "Pete" Laney
Speaker of the House of Representatives

ADOPTED

MAY 28 1997

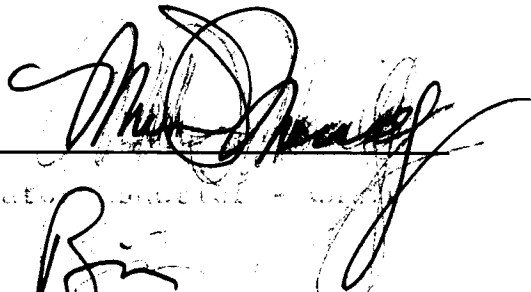
Sharon Carter
Chief Clerk
House of Representatives

Date

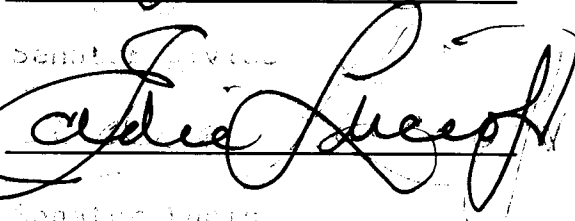
by record vote of
131 yeas
0 nays
1 pnv.

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on _____ have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.



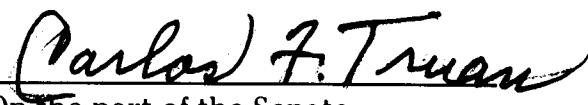
Senator



Speaker



Senator



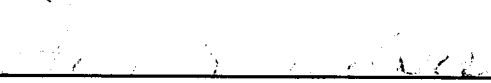
On the part of the Senate

Rep.

Rep.

Rep.

Rep.



On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

S.J.R. No. 33

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the purposes for
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22 SECTION 2. The following temporary provision is added to the
23 Texas Constitution:

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S.J.R. No. 33

1 to the constitutional amendment proposed by S.J.R. No. 33, 75th
2 Legislature, Regular Session, 1997, and expires January 2, 1998.

3 (b) The amendment to Article I of this constitution takes
4 effect January 1, 1998.

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9 purposes for which money in the compensation to victims of crime
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Senate Joint Resolution 33
Conference Committee Report
Section-by-Section Analysis
May 21, 1997

SENATE ENGROSSMENT	HOUSE AMENDMENTS	CONFERENCE COMMITTEE REPORT
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<p>SECTION 3. Provides ballot language for a November 4, 1997 election.</p>	<p>SECTION 2. Same as Senate Engrossment, except that ballot language is slightly more specific.</p>	<p>Same as House Amendments.</p>

97 MAY 27 AM 9:35
HOUSE OF REPRESENTATIVES

FISCAL NOTE
CONFERENCE COMMITTEE REPORT
SJR 33

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

**FISCAL NOTE
75th Regular Session**

May 9, 1997

To: Honorable Robert Junell, Chair
Committee on Appropriations
House
Austin, Texas

IN RE: Senate Joint Resolution
No. 33, Committee
Report 2nd House, Substituted
By: Moncrief

From: John Keel, Director

In response to your request for a Fiscal Note on SJR33 (proposing a constitutional amendment relating to the purposes for which money in the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund may be used) this office has determined the following:

Biennial Net Impact to General Revenue Funds by SJR33-Committee Report 2nd House, Substituted
--

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

FISCAL ANALYSIS

The resolution would propose a constitutional amendment to make the Compensation to Victims of Crime GR-Account 0469 and the Compensation to Victims of Crime Auxiliary GR-Account 0494 dedicated accounts in the General Revenue Fund 0001. Currently, they are statutorily dedicated accounts in the General Revenue Fund 001.

With one exception, the Legislature could appropriate money in the two accounts only for the purpose of compensating victims of crime, providing services to victims of crime, and paying the administrative costs of providing services to crime victims. The one exception would be that the Legislature could provide by law that money in either

account could be expended for the purpose of assisting victims of mass violence, if other money appropriated for emergency assistance were depleted.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 4, 1997. Upon passage, the proposed constitutional amendment would take effect January 1, 1998.

No fiscal implication to units of local government is anticipated.

Source: Agencies:

LBB Staff: JK, RR

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 26, 1997

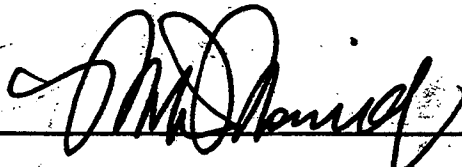
Date

Honorable Bob Bullock
President of the Senate

Honorable James E. "Pete" Laney
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S.I.R. 33 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.



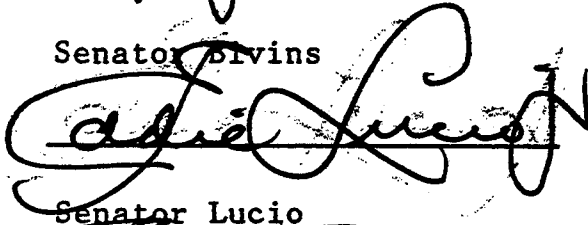
Senator Moncrief - Chair



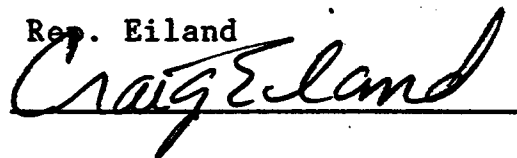
Rep. Gallego - Chair

Senator Brivins

Rep. Eiland



Senator Lucio



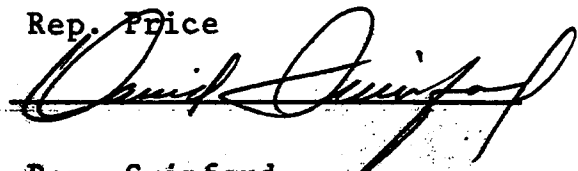
Rep. Price

Senator Ratliff

Rep. Swinford




Senator Ratliff



Rep. Swinford



On the part of the Senate



On the part of the House

Senator Truan

Rep. Walker

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

S.J.R. No. 33

A JOINT RESOLUTION

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S.J.R. No. 33

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Senate Joint Resolution 33
Conference Committee Report
Section-by-Section Analysis
May 21, 1997

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No fiscal implication to units of local government is anticipated.

Source: Agencies:

LBB Staff: JK, RR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

May 9, 1997

To: Honorable Robert Junell, Chair
Committee on Appropriations
House
Austin, Texas

IN RE: Senate Joint Resolution
No. 33, Committee
Report 2nd House, Substituted
By: Moncrief

From: John Keel, Director

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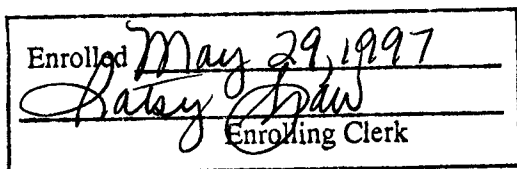
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Source: Agencies:

LBB Staff: JK, RR



S.J.R. No. 33

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5 SECTION 3. This proposed constitutional amendment shall be
6 submitted to the voters at an election to be held November 4, 1997.
7 The ballot shall be printed to permit voting for or against the
8 proposition: "The constitutional amendment designating the
9 purposes for which money in the compensation to victims of crime
10 fund and the compensation to victims of crime auxiliary fund may be
11 used."

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 33 was adopted by the Senate on April 17, 1997, by the following vote: Yeas 31, Nays 0; May 19, 1997, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 20, 1997, House granted request of the Senate; May 28, 1997, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.J.R. No. 33 was adopted by the House, with amendment, on May 12, 1997, by the following vote: Yeas 139, Nays 0, one present not voting; May 20, 1997, House granted request of the Senate for appointment of Conference Committee; May 28, 1997, House adopted Conference Committee Report by the following vote: Yeas 131, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

May 9, 1997

To: Honorable Robert Junell, Chair
Committee on Appropriations
House
Austin, Texas

IN RE: Senate Joint Resolution
No. 33, Committee
Report 2nd House, Substituted
By: Moncrief

From: John Keel, Director

In response to your request for a Fiscal Note on SJR33 (proposing a constitutional amendment relating to the purposes for which money in the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund may be used) this office has determined the following:

**Biennial Net Impact to General Revenue Funds by SJR33-Committee Report 2nd House,
Substituted**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

FISCAL ANALYSIS

The resolution would propose a constitutional amendment to make the Compensation to Victims of Crime GR-Account 0469 and the Compensation to Victims of Crime Auxiliary GR-Account 0494 dedicated accounts in the General Revenue Fund 0001. Currently, they are statutorily dedicated accounts in the General Revenue Fund 001.

With one exception, the Legislature could appropriate money in the two accounts only for the purpose of compensating victims of crime, providing services to victims of crime, and paying the administrative costs of providing services to crime victims. The one exception would be that the Legislature could provide by law that money in either account could be expended for the purpose of assisting victims of mass violence, if other money appropriated for emergency assistance were depleted.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 4, 1997. Upon passage, the proposed constitutional amendment would take effect January 1, 1998.

No fiscal implication to units of local government is anticipated.

Source: Agencies:

LBB Staff: JK, RR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

May 7, 1997

To: Honorable Robert Junell, Chair
Committee on Appropriations
House
Austin, Texas

IN RE: Senate Joint Resolution
No. 33, As Engrossed
By: Moncrief

From: John Keel, Director

In response to your request for a Fiscal Note on SJR33 (proposing a constitutional amendment relating to the dedication of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund) this office has determined the following:

Biennial Net Impact to General Revenue Funds by SJR33-As Engrossed

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

FISCAL ANALYSIS

The resolution would propose a constitutional amendment to make the Compensation to Victims of Crime GR-Account 0469 and the Compensation to Victims of Crime Auxiliary GR-Account 0494 dedicated accounts in the General Revenue Fund 0001. Currently, they are statutorily dedicated accounts in the General Revenue Fund 0001.

Monies deposited to the credit of these accounts, from whatever source and subject to Legislative appropriation, could be expended only for the purpose of compensation, and costs related to compensation, of victims of criminal conduct and for providing services to those victims, as provided by law.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 4, 1997. Upon passage, the proposed constitutional amendment would take effect January 1, 1998.

LOCAL

No fiscal implication to units of local government is anticipated.

Source: Agencies:

LBB Staff: JK, RR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

April 9, 1997

To: Honorable Bill Ratliff, Chair
Committee on Finance
Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 33, Committee Report 1st
House, Substituted
By: Moncrief

From: John Keel, Director

In response to your request for a Fiscal Note on SJR33 (proposing a constitutional amendment relating to the dedication of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund) this office has determined the following:

**Biennial Net Impact to General Revenue Funds by SJR33-Committee Report 1st House,
Substituted**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

FISCAL ANALYSIS

The resolution would propose a constitutional amendment to make the Compensation to Victims of Crime GR-Account 0469 and the Compensation to Victims of Crime Auxiliary GR-Account 0494 dedicated accounts in the General Revenue Fund 0001. Currently, they are statutorily dedicated accounts in the General Revenue Fund 0001.

Monies deposited to the credit of these accounts, from whatever source and subject to Legislative appropriation, could be expended only for the purpose of compensating victims of crime or victims of adjudicated juvenile misconduct and for providing services to those victims, as provided in Chapter 56 of the Code of Criminal Procedure.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 4, 1997. Upon passage, the proposed constitutional amendment would take effect January 1, 1998.

LOCAL

No fiscal implication to units of local government is anticipated.

Source: Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, RR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

March 20, 1997

To: Honorable Bill Ratliff, Chair
Committee on Finance
Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 33
By: Moncrief

From: John Keel, Director

In response to your request for a Fiscal Note on SJR33 (Proposing a constitutional amendment relating to the dedication of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund.) this office has determined the following:

Biennial Net Impact to General Revenue Funds by SJR33-As Introduced

Implementing the provisions of the bill would result in a net negative impact of \$(182,913,000) to General Revenue Related Funds through the biennium ending August 31, 1999.

Fiscal Analysis

The resolution would propose a constitutional amendment to make the Compensation to Victims of Crime GR-Account 0469 and the Compensation to Victims of Crime Auxiliary GR-Account 0494 dedicated funds in the State Treasury. Currently, they are dedicated accounts in the General Revenue Fund 0001.

Monies deposited to the credit of these funds, from whatever source and subject to Legislative appropriation, could be expended only for the purpose of compensating victims of crime and for providing services to victims of crime, as provided in Chapter 56 of the Code of Criminal Procedures.

One exception to the proposed dedication would be provided by the proposed amendment. In the event of an episode of mass violence, the Legislative Budget Board would be authorized to expend monies in either of the two funds for the purpose of assisting victims of that event. Monies could be spent out of the two funds only after monies appropriated for providing assistance, as authorized under other state law, were depleted.

The proposed constitutional amendment would be submitted to the voters at an election to be held November 4, 1997. Upon passage, the proposed constitutional amendment would take effect January 1, 1998.

Methodology

By creating new constitutionally dedicated funds, there would be a loss to the General Revenue Fund because the two dedicated accounts would no longer be in the General Revenue Fund. The first-year loss for each account is based on the estimated fiscal 1997 ending balance plus the amount by which estimated revenues would exceed estimated expenditures in fiscal 1998. For each year thereafter, the losses are based

on the difference between estimated revenues and expenditures. The estimates of expenditures for 1998 and 1999 are based on the proposed 1998-99 General Appropriations Act, as filed. The fiscal impact after fiscal 1999 assumes that all revenue to the accounts would be appropriated.

The probable fiscal implications of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

Five Year Impact:

Fiscal Year	Probable Certification Gain/(Loss) from General Revenue Fund	Probable Revenue Gain/(Loss) from Compensation to Victims of Crime Account/ GR-Dedicated	Probable Revenue Gain/(Loss) from Compensation to Victims of Crime Auxiliary Account/ GR-Dedicated	Probable Revenue Gain/(Loss) from New - Compensation to Victims of Crime and Auxiliary Fund
	0001	0469	0494	
1998	(\$156,747,000)	(\$154,134,000)	(\$2,613,000)	\$156,747,000
1999	(26,095,000)	(25,444,000)	(651,000)	26,095,000
2000	0	0		
2001	0	0		
2002	0	0		

The following is the cost to the State for publication of the resolution.

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
	0001
1998	(\$71,000)
1999	0
2000	0
2001	0
2002	0

Net Impact on General Revenue Related Funds:

The probable fiscal implication to General Revenue related funds during each of the first five years is estimated as follows:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
1998	(\$156,818,000)
1999	(26,095,000)
2000	0
2001	0
2002	0

The fiscal impact on local government would be the normal cost of conducting local elections but no other fiscal implications to local governments are anticipated.

Source: Agencies: 302 Office of the Attorney General
304 Comptroller of Public Accounts

LBB Staff: JK, RR, JC

S.J.R. No.

33

By

Shonnie

Relating to the dedication of the compensation to victims of crime fund and the compensation to victims of crime auxiliary fund.

MAR 07 1997

Filed with the Secretary of the Senate

MAR 12 1997

Read and referred to Committee on FINANCE

Reported favorably

APR 09 1997

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

APR 17 1997

Senate and Constitutional Rules to permit consideration suspended by:

unanimous consent

____ years, ____ nays

APR 17 1997

Read second time, amended, and ordered engrossed by:

unanimous consent

a viva voce vote

____ years, ____ nays

APR 17 1997

Senate and Constitutional 3 Day Rule suspended by a vote of 31 yeas, 0 nays.

APR 17 1997

Read third time, _____, and passed by: 31 yeas, 0 nays

Henry King

SECRETARY OF THE SENATE

OTHER ACTION:

APR 17 1997

Engrossed

April 18, 1997

Sent to House

Engrossing Clerk

Lacey Grew

APR 18 1997

Received from the Senate

APR 21 1997

Read first time and referred to Committee on Appropriations

5/8/97

Reported _____ favorably (~~amended~~) (as substituted)

MAY 12, 1997

Sent to Committee on Calendars

MAY 12 1997

Read second time (comm. subst.) (~~amended~~) and adopted (~~passed to third reading~~) by a record vote of 139 yeas, 0 nays, 1 present, not voting

Read third time (amended) and finally adopted (failed of adoption) by a record vote of _____ yeas, _____ nays, _____ present, not voting

MAY 13 1997

Returned to Senate.

Sharon Carter

CHIEF CLERK OF THE HOUSE

Returned from House without amendment.

MAY 13 1997

Returned from House with 1 amendments.

Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

MAY 19 1997

Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

Senate conferees instructed.

MAY 19 1997

Senate conferees appointed: Moncrief, Chairman; Ratliff
Bivins, Tuman, and Lucio

MAY 20 1997

House granted Senate request. House conferees appointed: Galligo, Chairman;
Giland, Price, Swenford, Walker

MAY 26 1997

Conference Committee Report read and filed with the Secretary of the Senate.

MAY 28 1997

Conference Committee Report adopted on the part of the House by: _____

{ ~~a viva voce vote~~
131 yeas, 0 nays 1 pnv.

MAY 28 1997

Conference Committee Report adopted on the part of the Senate by:

{ ~~a viva voce vote~~
31 yeas, 0 nays

OTHER ACTION:

Recommitted to Conference Committee

Conferees discharged.

Conference Committee Report failed of adoption by: _____

{ ~~a viva voce vote~~
____ yeas, ____ nays